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17 *Co-Counsel for Plaintiff*

18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20 THOMAS COLEMAN, individually;

21 CASE NO. 2:23-cv-01911-RFB-DJA

22 Plaintiffs,

23 vs.  
24 GEICO CASUALTY COMPANY; DOES I - X,  
25 and ROE CORPORATIONS I - X, inclusive,

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER**

26 Defendants.

27 1. **Meeting:** Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on December 6,  
28 2023, and was attended by Justin G. Randall, Esq. of ER Injury Attorneys, for Plaintiff, and Chenelle  
Jackson, Esq. of McCormick, Barstow, Sheppard, Wayte & Carruth LLP, for Defendant.

2. **Pre-Discovery Disclosures:** Pursuant to Fed. R. Civ. P. 26(a)(1), Plaintiff and  
23 Defendant will serve their Initial Disclosures on or before December 7, 2023.

24 3. **Areas of Discovery:** The parties agree that the areas of discovery should include, but  
25 not be limited to: all claims and defenses allowed pursuant to the Federal Rules of Civil Procedure.

26 4. **Changes to Discovery Rules:** The parties do not see a need to change the discovery  
27 rules set forth in the Federal Rules of Civil Procedure and the Local Rules for the District of Nevada.

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1       5.       **Discovery Plan:** The parties proposed the following discovery plan:

2           A.       **Alternative Dispute Resolution:** The parties certify that they met and  
3       conferred about the possibility of using alternative dispute-resolution processes, including mediation,  
4       arbitration and if applicable, early neutral resolution.

5           B.       **Alternative Forms of Case Disposition:** The parties certify they considered  
6       consent to trial by magistrate judge under 28 USC § 636(c) and Fed. R. Civ. P. 73 and the use of the  
7       Short Trial Program. Defendant is currently unwilling to consent to either.

8           C.       **Discovery Cut-off Dates(s):** LR 26-1(b)(1) provides that “unless otherwise  
9       ordered, discovery periods longer than one hundred eighty (180) days from the date the first  
10      defendant answers or appears will require special scheduling review.” The parties agree there is  
11      no need for a special review. Therefore, the parties agree that discovery must be commenced and  
12      completed no later than May 27, 2024. This date is 180 days after Defendant’s filing of its  
13      appearance and answer.

14           D.       **Amending the Pleadings and Adding Parties:** The parties shall have until  
15      February 26, 2024, to file any motions to amend the pleadings to add parties. This is 90 days  
16      before the discovery cut-off date.

17           E.       **FRCP 26-1(b)(3) Disclosures of Experts:** Disclosure of experts shall  
18      proceed according to Fed. R. Civ. P. 26(a)(2) as follows: the disclosure of experts and their reports  
19      shall occur on or before March 28, 2024. The disclosure of rebuttal experts and their reports shall  
20      occur on or before April 26, 2024. These deadlines are 60 and 29 days before the disclosure cut-  
21      off-date, respectively.

22           F.       **Dispositive Motions:** The parties shall have until June 26, 2024, to file  
23      dispositive motions. This is 30 days after the discovery cut-off date.

24           G.       **Pre-Trial Order:** The parties will prepare a Consolidated Pre-Trial Order  
25      on or before July 26, 2024, which is 31 days after the date set for filing dispositive motions in  
26      the case. This Deadline will be suspended if dispositive motions are timely filed until 29 days  
27      after the decision of the dispositive motions or until further order of the Court. The disclosures  
28      required by Fed. R. Civ. P. 26(a)(3) and objections thereto, shall be made in the pre-trial order.

1                   **H. Electronic Evidence:** The parties certify they discussed whether they  
2 intend to present evidence in electronic format to jurors for the purposes of jury deliberations. At  
3 this time, the parties agree they will submit their exhibits to the court in paper format or  
4 electronic format. The parties agree to service of discovery requests and responses in PDF  
5 format via Email, where practical. For documents too large to send via email, the parties  
6 consent to exchange via a cloud-based service (DropBox, OneDrive, iCloud, etc) or on a CD or  
7 DVD sent via US Mail.

8                   **I. Court Conferences:** If the Court has questions regarding the dates proposed by  
9 the parties, the parties request a conference with the Court before entry of the Scheduling Order. If  
10 the Court does not have questions, the parties do not request a conference with the Court.

11                   **J. Extensions or Modifications of the Discovery Plan and Scheduling Order:**  
12                   LR ~~26-4~~<sup>26-3</sup> governs modifications or extensions of this Discovery Plan and Scheduling Order. Any  
13 stipulation or motion must be made not later than May 6, 2024, 21 days before the discovery  
14 cut-off date.

15                   **K. Format of Discovery:** Pursuant to the electronic discovery amendments to  
16 the Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-  
17 discovery issues pertaining to the format of discovery at the Fed. R. Civ. P. 26(f) conference. The  
18 parties do not anticipate discovery of native files or metadata at this time, but each party reserves  
19 the right to make a showing for the need of such electronic data as discovery progresses.

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1                   L.     **Electronic Service of Discovery:** Counsel for Plaintiff hereby agrees to  
2 electronic service of all documents to the following email addresses:  
3 [justin@erinjuryattorneys.com](mailto:justin@erinjuryattorneys.com) and [miriam@erinjuryattorneys.com](mailto:miriam@erinjuryattorneys.com).

4                   Counsel for Defendant hereby agrees to electronic service of all documents to the following  
5 email addresses: [Chenelle.Jackson@mccormickbarstow.com](mailto:Chenelle.Jackson@mccormickbarstow.com)  
6 [Debbie.DeArmond@mccormickbarstow.com](mailto:Debbie.DeArmond@mccormickbarstow.com) and [Jonathan.Carlson@mccormickbarstow.com](mailto:Jonathan.Carlson@mccormickbarstow.com).

7                   ER INJURY ATTORNEYS

8                   MCCORMICK, BARSTOW, SHEPPARD,  
9                   WAYTE & CARRUTH LLP

10                  By:/s/ Justin G. Randal

11                  Justin G. Randall, Esq.  
12                  Nevada Bar No. 12476  
13                  *Attorneys for Plaintiff*

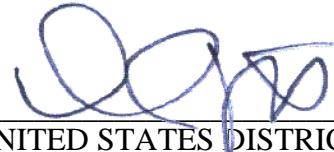
14                  By:/s/ Jonathan W. Carlson

15                  Jonathan W. Carlson, Esq.  
16                  Nevada Bar No. 10536  
17                  Chenelle Jackson, Esq.  
18                  Nevada Bar No. 015750  
19                  *Attorney for Defendant*

20                   **ORDER**

21                  IT IS SO ORDERED:

22                  DATED: 12/11/2023

23                     
24                   UNITED STATES DISTRICT COURT  
25                   MAGISTRATE JUDGE



Miriam Alvarez &lt;miriam@erinjuryattorneys.com&gt;

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**RE: Coleman v. GEICO - Proposed Discovery Plan and Scheduling Order**

1 message

**Jonathan Carlson** <Jonathan.Carlson@mccormickbarstow.com>

Thu, Dec 7, 2023 at 6:16 PM

To: Miriam Alvarez &lt;miriam@erinjuryattorneys.com&gt;, Debbie DeArmond &lt;Debbie.DeArmond@mccormickbarstow.com&gt;

Cc: "david@davislawgroupv.com" &lt;david@davislawgroupv.com&gt;, Justin Randall &lt;justin@erinjuryattorneys.com&gt;, April Taylor

&lt;april@erinjuryattorneys.com&gt;, "thomascolemanz11927855@er.filevineapp.com"

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Thanks, okay to e-sign for us. Thanks.

Jon

**Jonathan Carlson**

Partner

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[www.mccormickbarstow.com](http://www.mccormickbarstow.com)**From:** Miriam Alvarez <miriam@erinjuryattorneys.com>**Sent:** Thursday, December 7, 2023 5:08 PM**To:** Debbie DeArmond <Debbie.DeArmond@mccormickbarstow.com>**Cc:** [david@davislawgroupv.com](mailto:david@davislawgroupv.com); [Justin Randall <justin@erinjuryattorneys.com>](mailto:justin@erinjuryattorneys.com); [Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>](mailto:Jonathan.Carlson@mccormickbarstow.com); [April Taylor <april@erinjuryattorneys.com>](mailto:april@erinjuryattorneys.com); [thomascolemanz11927855@er.filevineapp.com](mailto:thomascolemanz11927855@er.filevineapp.com)**Subject:** Re: Coleman v. GEICO - Proposed Discovery Plan and Scheduling Order

Hi Mr. Carlson-- Attached is the Proposed Discovery Plan and Scheduling Order for your review. Please let us know if you have any changes or if we can file using your signature. Thank you.

**Miriam Alvarez**

Paralegal

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